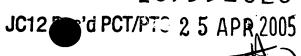
10/532628



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

Not yet assigned - US National Phase of PCT/EP2003/012145

Filing Date:

31 October 2003 (International Filing Date)

Applicant:

Volkmar SCHULZE et al.

Group Art Unit:

Not yet assigned

Examiner:

Not yet assigned

Title:

PROCESS FOR THE DIRECT FOAM-BACKING OF

**ABSORBER SYSTEMS** 

Attorney Docket:

4836-016/NP

Director of the United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

# **INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

## I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

### II. COPIES

A. Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office; (iii) each unpublished U.S. application listed below in Section IV (i.e., including the specification, claims, and any drawing of the application, or that portion of the application which caused it to be listed, including any claims directed to that portion), except for such applications filed on or after June 30, 2003, pursuant to the Waiver of the Copy Requirement in 37 C.F.R. 1.98 (OG Notice dated October 19, 2004); and (iv) all other information or that portion which caused it to be listed.

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	B. Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:
	U.S. Serial Number U.S. Filing Date
	C. This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search report are listed on the attached Form 1449 for consideration by the Examiner and for listing on any patent resulting from this application. If the International Search report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g).)
III.	CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)
	A.   Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).
	B. A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):
	<ol> <li>See the attached foreign patent office communication from a counterpart foreign application:         International Search Report for PCT/EP2003/012145, dated 03/29/2004 and First Communication from the German Patent Office regarding DE 102 51 327.9, dated 09/17/2003     </li> </ol>
	<ol> <li>English translations are provided:         As noted on Form HDP-1449     </li> </ol>
	3.  Other:
	C. The following additional information is provided for the Examiner's consideration.

Attorney Docket No.: 4836-016/NP Page 2 of 5

IV.	CROSS REFERENCE	TO RELATED APPLICA	ATION(S)	
	contain(s) subject ma bringing this(these) a	atter that may be relate	ollowing co-pending application(s) of to the present application. By niner's attention, Applicant(s) does 35 U.S.C. § 122.	
	Serial No.	Filing Date	Art Unit	
V.	THIS IDS IS BEING F	ILED UNDER 7(b): (check only one box	A	
	A. 🖂 37 C.F.N. 9 1.37	(b). (check offine pos	()	
1.  within three months of the filing date of a national application under § 1.53(d) (3 1.97(b)(1)). No fee or certification is required.				
		in an international applic	f entry of the national stage as set cation (37 C.F.R. § 1.97(b)(2)). No	
	1.97(b)(3)). No Office Action of under 37 C.F.I 1.97(e) below;	o fee or certification is to the merits has been R. § 1.97(c) and see the or, if no certification ha	Action on the merits (37 C.F.R. § required. In the event that a first issued, please consider this IDS ne certification under 37 C.F.R. § s been made, charge our deposit as required by 37 C.F.R. § 1.17(p).	
			Action after the filing of a request T.R. § 1.114. No fee or certification	
	В. <b>37 С.F.R. § 1.9</b> 7	<b>'(c):</b> (check <u>only</u> one box	· · · · · · · · · · · · · · · · · · ·	
		of Allowance under 37	nal Office Action under 37 C.F.R. § C.F.R. § 1.311, or an action that	
	1. ☐ No certific by 37 C.F.R. §		the amount of \$180.00 is required	
	2. ☐ See the c	ertification below. No fee	e is required.	

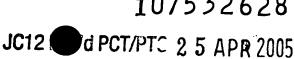
Attorney Docket No.: 4836-016/NP Page 3 of 5

	C 3/ C.F.H. § 1.9/(d):
	after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.
	1.  See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
VI.	CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)
	The undersigned hereby certifies that:
	A.   each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)).   See further statement under 37 C.F.R. 1.704(d) below in section VII, if applicable; or
	B. no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).
	C. some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.
VII.	STATEMENT UNDER 37 C.F.R. 1.704(d)
	The undersigned hereby states that:
	each item of information contained in this IDS was cited in a communication

Attorney Docket No.: 4836-016/NP Page 4 of 5

thirty days prior to the filing of this IDS.

from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than



#### VIII. PAYMENT OF FEES (check only one box)

A. A check in the amount of \$180.00 is enclosed for the above identified fee.

B. Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted.

Dated: April 25, 2005

Robert M. SIMINSKI Reg. No. 36,007

Harness, Dickey & Pierce, P.L.C. P.O. Box 828 Bloomfield Hills, Michigan 48303 (248) 641-1600

RMS/smc

Attorney Docket No.: 4836-016/NP



FORM HDP-1449 (Based on Form PTO-1449)

# PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Sheet 1 of 1

ATTORNEY DOCKET NO.	(BERIASNOS 2628			
4836-016/NP				
APPLICANT				
Volkmar SCHULZE et al.				
FILING DATE	GROUP			

FOREIGN PATENT DOCUMENTS							
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
1.		199 09 046 A	09/07/2000	DE		Abstract	
2.		197 34 913 A	02/18/1999	DE		Abstract	
3.		199 11 815 A	09/21/2000	DE		Abstract	
4.		38 09 980 A1	10/05/1989	DE		Abstract	
5.		39 05 607 A1	08/30/1990	DE		Abstract	
6.		38 37 058 A1	05/11/1989	DE		Abstract	
7.		199 58 663 A1	06/21/2001	DE		Abstract	
8.		198 21 532 A1	11/25/1999	DE ·		Abstract	
9.		197 26 965 C1	01/21/1999	DE		Abstract	
10.		02/09977 A1	02/07/2002	wo		N/A	
11.		197 39 778 A1	03/12/1998	DE		Abstract	
12.		01/12470 A1	02/22/2001	wo		Abstract	
13.		299 15 429 U1	09/07/2000	DE			Х

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)				
Ref. Desig.	Examiner's Initials			
1.				

Examiner:	D	Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.